



Attorney Docket No. 29766/68114

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Salim A. Jaliwala Conf. No.: 6002
Serial No.: 09/774,897 Art Unit: 3754
Filed: January 31, 2001 Examiner: Hirsch, Paul J.
For: SYSTEM AND METHOD FOR ESTIMATING EGR MASS FLOW AND EGR FRACTION

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Non-Fee Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

JUN 24 2004

TECHNOLOGY CENTER R3700

Sir:

In response to the Requirement of June 7, 2004, Applicant hereby elects Claim 1 and states that Claim 1 is generic in the sense of the flow restriction described in the specification.

Applicant's specification discloses different types of flow restriction devices, e.g., the EGR valve of Fig. 1, the fixed-geometry flow restriction device (FRD) 90 of Fig. 2A and the fixed-geometry flow restriction area 96 of Fig. 2B. Every claim has at least one of the disclosed types. Claim 1 is generic to all of these species in that it recites a "flow restrictor" and not one of the specific types. Claims 3, 9, 23 and 27 recite an EGR valve as the flow restriction device, therefore, these claims (and the claims that depend therefrom) describe a species of Claim 1.

The present requirement was discussed during a telephone conference between the undersigned and examiner Paul Hirsch on June 21, 2004. It was agreed that election of claim 1 with the above explanation is responsive to the outstanding office action restriction requirement.

The examiner is invited to telephone the undersigned if there are any matters that require further action.

Respectfully submitted,
BARNES & THORNBURG

Richard B. Lazarus
Registration No. 48,215
(202) 289-1313